REMARKS

Any fees that may be due in connection with this application may be charged to Deposit Account No. 50-1213. If a Petition for extension of time is needed, this paper is to be considered such Petition.

Claims 8-14 and 58-69 are presently pending in this application. Claim 8 is amended in order to more particularly point out and distinctly claim the subject matter that applicant regards as the invention. Claims 58-69 are added. The amendment of claim 8 and the added claims find basis in the application as originally filed. Therefore no new matter is added.

* * *

In view of the above, entry of the amendment and examination of the application on the merits are respectfully requested.

Respectfully submitted,
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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: **Keck et al.**

Serial No.: 09/601,997
Confirmation No.: 5984

Filed: December 15, 2000

For: *NON-BACTERIAL CLONING IN DELIVERY AND EXPRESSION OF NUCLEIC ACIDS*

Art Unit: 1635

Examiner: Epps, Janet

CERTIFICATE OF MAILING BY "EXPRESS MAIL"

"Express Mail" Mailing Label No.: **EV175673595US**
Date of Deposit: October 25, 2002

I hereby certify that this paper and the attached papers are being deposited with the United States Postal "Express Mail Post Office to Addressee" Service under 37 CFR §1.10 on the date indicated above and addressed to:

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P. O. Box 2327
Arlington, VA 22202

Michael Lough

MARKED UP CLAIMS IN ACCORDANCE WITH 37 C.F.R. § 1.121

Please amend claim 8 as follows:

8. (Amended) A method of assigning a function to a product coded for by a sample nucleotide sequence, said method comprising:

a) without any intervening bacterial cloning steps,, obtaining and expressing one or more members of an oligonucleotide family as individual transcription products in a plurality of recombinant non-bacterial host cells, wherein:

the coding sequences for each individual transcription product encodes an antisense nucleic acid that, when expressed as RNA binds to mRNA transcribed from a target nucleic acid molecule that comprises a nucleotide sequence of the sample nucleic acid; and

expression of one or more of the individual transcription products inhibits production of a product of the mRNA; [rowing a cell culture comprising one or more host cell(s) wherein said host cells express a target nucleic acid comprising said sample nucleotide sequence and wherein said host cells contain one or more members of a family of nucleic acids which bind to a transcription product of said nucleotide sequences whereby transcription product of said target nucleic acid is inhibited and said host cell exhibits at least one phenotypic change]

b) analyzing phenotypic changes in [said cell] the resulting host cells to thereby identify one or more altered function(s); and

c) obtaining a nucleotide sequence of said target nucleic acid, whereby, based upon the altered function, a function is assigned to [said] a sample nucleotide [sequences] sequence.